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07/02/2003

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EXAMINER

BIAGINI, CHRISTOPHER D

ART UNIT

PAPER NUMBER

2142

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/612,706

Applicant(s)

MONONEN ET AL.

Examiner

Christopher D. Biagini

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to the rejections under 35 USC 112, second paragraph of claims 7-9 and 13-15 have been fully considered and are persuasive. Those rejections of claims 7-9 and 13-15 have been withdrawn.
2. Applicant's arguments with respect to the art rejections of claims 1-25 have been fully considered, but are moot in view of the new grounds of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-7, 10, 16, 17-18, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi (US Patent 6,980,826) in view of Wesinger et al. (US Patent 5,778,367, hereinafter "Wesinger").
5. Regarding claim 1, note that the preamble has been given patentable weight, as it provides antecedent basis for a limitation in the claim ("the network entities" on line 5).

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6. Yamaguchi shows a mobile information system to provide information to network entities (PC for management 313) within via a legacy mobile communications packet-switched network (network 316), the mobile information system comprising:

- a. a mobile information server (cellular phone 304: see Fig. 10) arranged to receive addressed information requests from the network entities (the entities comprising PC 313 and web browser software 307: see Fig. 10 and col. 7, lines 53-57); and
- b. at least one information source selected from the information sources (for example, camera 309), wherein the mobile information server facilitates information exchange from the at least one information source in response to the addressed information requests from the network entities, wherein the information exchange is provided independent of human interaction in response to the information requests (see col. 12, line 57 to col. 13, line 5).

7. Yamaguchi further shows that a variety of server software may be installed on the cellular phone (see col. 4, lines 51-58), but does not show that the requests are received via a CGI that interfaces information sources of the mobile information system with the network, wherein the information sources include personal information stored on the mobile information system by a user of the mobile information system, and that information exchange is facilitated via the CGI.

8. Wesinger shows:

- a. receiving a request via a CGI that interfaces information sources with a network (see Fig. 1A and col. 4, lines 12-35);

- b. wherein the information sources include personal information stored on an information system by a user of the information system (see Fig. 2L and col. 5, lines 57-67); and
- c. facilitating information exchange via the CGI (see col. 4, lines 12-35).

10. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Yamaguchi with the CGI and personal information taught by Wesinger in order to achieve the predictable result of being able to access personal information over the network.

11. Regarding claim 2, it is noted that the at least one information source applied above (camera 309) is internal to the mobile information server (see Fig. 10).

12. Regarding claim 3, the combination of Yamaguchi and Wesinger shows the limitations of claim 2 as applied above, and Yamaguchi further shows wherein the at least one information source contains information generated by the mobile information server (the information comprising image data: see col. 12, line 57 to col. 13, line 5 and col. 9, lines 21-35).

13. Regarding claim 4, the combination of Yamaguchi and Wesinger shows the limitations of claim 3 as applied above, and Yamaguchi further shows wherein the information generated by the mobile information server includes image data captured by the mobile information server (see col. 9, lines 21-25).

14. Regarding claim 5, the combination of Yamaguchi and Wesinger shows the limitations of claim 5 as applied above, and Yamaguchi further shows wherein the information generated by the mobile information server includes telemetry data related to the mobile information server (the information comprising the converted location data, which includes telemetry data and is generated by extended software module 311, a component of cellular phone 304: see col. 12, lines 30-33).

15. Regarding claim 6, the combination of Yamaguchi and Wesinger shows the limitations of claim 1 as applied above, and Yamaguchi further shows wherein the at least one information source is external to the mobile information server (the information source comprising GPS 303: see Fig. 10).

16. Regarding claim 7, the combination of Yamaguchi and Wesinger shows the limitations of claim 6 as applied above, and Yamaguchi further shows wherein the mobile information server exchanges information with a hard wired device (the device comprising GPS 303: see Fig. 10).

17. Regarding claim 10, note that the preamble has been given patentable weight, as it provides antecedent basis for a limitation in the claim ("the network" on line 7).

18. Yamaguchi shows a mobile terminal (cellular phone 304) capable of being wirelessly coupled to a legacy mobile communications packet-switched network

(network 316) which includes a network element (PC 313) capable of requesting information from the mobile terminal through the use of addressed requests to the mobile terminal (see col. 7, lines 53-57), the mobile terminal comprising:

- a. a memory (inherently disclosed as the device which stores the software modules shown in Fig. 10) storing at least a protocol module (web server software 306);
- b. a processor (inherently disclosed as a necessary component of any device which executes software modules, such as those shown in Fig. 10) coupled to the memory and configured by the protocol module (web server software 306) to provide the requested information to the network element in response to the information request from a selected one of information sources independent of human interaction in response to the information request (see col. 12, line 57 to col. 13, line 5); and
- c. a transceiver configured to facilitate the requested information exchange with the network element (inherently disclosed as a necessary component of any cellular phone).

19. Yamaguchi further shows that a variety of server software may be installed on the cellular phone (see col. 4, lines 51-58), but does not show a server directory containing requested information and a CGI that interfaces applications of the mobile terminal with the network for retrieving information from information sources of the mobile terminal, wherein the information sources include personal information stored on the mobile terminal by a user of the mobile terminal.

20. Wesinger shows:

- a. a server directory containing requested information (database 107);
- b. a CGI that interfaces information sources with a network for retrieving information from information sources (see Fig. 1A and col. 4, lines 12-35); and
- c. wherein the information sources include personal information stored by a user (see Fig. 2L and col. 5, lines 57-67); and

21. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Yamaguchi with the server directory, CGI, and personal information taught by Wesinger in order to achieve the predictable result of being able to access personal information over the network.

22. As to claim 16, Yamaguchi shows a computer-readable medium having instructions stored thereon which are executable by a mobile information server (inherent to any computer-implemented device, such as cellular phone 304) for facilitating information transfer to network elements by performing steps comprising:

- a. receiving information requests from the network elements via a legacy mobile communications packet-switched network (see col. 7, lines 53-57);
- b. determining a source for the information requested from a plurality of applications of the mobile information server (comprising the step of determining whether the request is for image data or location data, which is a necessary step in a system where both types of information may be requested: see col. 12, lines 57-63);



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- c. accessing the information from the determined source (see col. 12, lines 12-29); and

- d. conducting a transfer of the requested information to the network elements independent of human interaction in response to the information requests (see col. 12, lines 30-33).

23. Yamaguchi further shows that a variety of server software may be installed on the cellular phone (see col. 4, lines 51-58), but does not show wherein the source for the information includes personal information stored on the mobile server by a user of the mobile server; and a CGI that interfaces applications of the mobile server with the network.

28. Wesinger shows:

- a. an information source including personal information stored by a user of a server on a server (see Fig. 2L and col. 5, lines 57-67); and

- b. a CGI that interfaces information sources with a network (see Fig. 1A and col. 4, lines 12-35);

29. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Yamaguchi with the CGI and personal information taught by Wesinger in order to achieve the predictable result of being able to access personal information over the network.

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30. As to claim 17, Yamaguchi shows a method of providing information from a mobile information server (inherent to any computer-implemented device, such as cellular phone 304) for to requesting network elements comprising:

- a. receiving information requests from the network elements via a legacy mobile communications packet-switched network (see col. 7, lines 53-57);
- b. determining a source for the information requested from a plurality of applications of the mobile information server (comprising the step of determining whether the request is for image data or location data, which is a necessary step in a system where both types of information may be requested: see col. 12, lines 57-63);
- c. accessing the information from the determined source (see col. 12, lines 12-29); and
- d. transferring the requested information to the network elements from the mobile server, wherein the information exchange is provided by a selected one of the information sources independently of human interaction in response to the information requests (see col. 12, lines 30-33).

31. Yamaguchi further shows that a variety of server software may be installed on the cellular phone (see col. 4, lines 51-58), but does not show wherein the source for the information includes personal information stored on the mobile server by a user of the mobile server; and a CGI that interfaces applications of the mobile server with the network.

32. Wesinger shows:

- a. an information source including personal information stored by a user of a server on a server (see Fig. 2L and col. 5, lines 57-67); and
- b. a CGI that interfaces information sources with a network (see Fig. 1A and col. 4, lines 12-35);

33. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Yamaguchi with the CGI and personal information taught by Wesinger in order to achieve the predictable result of being able to access personal information over the network.

34. As to claim 18, the combination of Yamaguchi and Wesinger shows the limitations of claim 17 as applied above, and further shows wherein the information requests received are addressed to the mobile server (see col. 7, lines 53-57).

35. As to claim 21, the combination of Yamaguchi and Wesinger shows the limitations of claim 17 as applied above, and Yamaguchi further shows wherein the determined source is internal to the mobile information server (the source comprising camera 309).

36. As to claim 22, the combination of Yamaguchi and Wesinger shows the limitations of claim 18 as applied above, and Yamaguchi further shows wherein the determined source is external to the mobile information server (the information source comprising GPS 303: see Fig. 10).

37. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view of Bajikar (US PGPUB 2002/0194500).

38. Yamagochi in view of Wesinger shows the limitations of claim 7 as applied above, but does not show wherein information exchanged with a Bluetooth device is used to support a security access system. Note that since the claim does not refer to an information exchange in particular, the claim requires only that the device exchanges *any* information which is used to support a security access system.

39. Bajikar shows exchanging information with a Bluetooth device (one of BTAPs 120A-120N) to support a security access system (see [0036]). It would have been obvious to further modify the invention of Yamagochi with the information exchange of Bajikar in order to provide access control, tracking and security services (see [007]).

40. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view in view of Chang et al. (US Pat. No. 6,583,807, hereinafter "Chang").

41. Yamagochi in view of Wesinger shows the limitations of claim 7 as applied above, but does not show wherein information exchanged with a WLAN device is used to support a video conferencing system. Note that since the claim does not refer to an information exchange in particular, the claim requires only that the device exchanges *any* information which is used to support a security access system.

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42. Chang shows exchanging information with a WLAN device (wireless network machine 100: see Fig. 2) in order to support a video conferencing system (see col. 2, lines 23-33). It would have been obvious to further modify the invention of Yamaguchi with the information exchange of Chang in order to provide a low-cost video conference device which is not fixed to a single location (see col. 1, lines 37-43).

43. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view in view of Mayle (US Pat. No. 6,018,774).

44. The combination of Yamaguchi and Wesinger shows the limitations of claim 10 as applied above, and further shows an imaging device arranged to capture images (camera 309), but does not explicitly show storing the images in the server directory.

45. Mayle shows storing images in a server directory (see col. 5, lines 19-23).

46. It would have been obvious to arrange the camera of Yamaguchi to store images in a server directory in order to save the pictures for future requests from clients.

47. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view in view of Girerd (US Pat. No. 6,131,067).

48. The combination of Yamaguchi and Wesinger shows the limitations of claim 10 as applied above, and further shows a telemetry device arranged to capture telemetry

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data (GPS 303), but does not explicitly show storing the telemetry data in the server directory.

49. Girerd shows storing telemetry data in a server directory (see Fig. 1A and col. 16, lines 9-22).

50. It would have been obvious to arrange the telemetry device of Yamagochi to store data in a server directory in order to save the data for future requests from clients.

51. Claims 13 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view in view of Wagner (US Pat. No. 5,742,845).

52. As to claim 13, Yamagochi in view of Wesinger shows the limitations of claim 13 as applied above, but does not show a CGI which facilitates transfer with any of a Wireless Local Area Network, Bluetooth, Infrared, or hard wired device. It is noted, however, that the memory of Yamagochi would be capable of storing such a CGI.

53. Wagner shows a CGI facilitating transfer with a hard wired device (system 40: see Fig. 1, lines 10-15 of col. 10, and lines 41-45 of col. 16). It would have been obvious to include such a CGI in the memory of Yamagochi in order to allow network devices which do not use the communication protocol of the hard wired device to access the hard wired device (see Wagner, lines 10-15 of col. 10).

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54. As to claim 23, Yamaguchi in view of Wesinger shows the limitations of claim 22 as applied above, but does not show the address containing a reference to a Common Gateway Interface (CGI). Wagner shows an address containing a reference to a CGI (see col. 10, lines 52-60).

55. It would have been obvious to include a reference to a CGI in the address of Yamaguchi in order to allow network devices which do not use the communication protocol of the hard wired device to send information to the hard wired device through a CGI (see Wagner, lines 10-15 of col. 10).

56. As to claim 24, it is noted that the CGI of Wagner as applied above performs a protocol conversion between an information request protocol used by the network elements and a protocol used by the external information source (see col. 10, lines 10-15).

57. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view of Wagner (US Pat. No. 5,742,845), and Bajikar (US PG PUB 2002/0194500).

58. Yamaguchi in view of Wesinger and Wagner shows the limitations of claim 13 as applied above, but does not show wherein information transfer with a Bluetooth device facilitates communication with a security access point. Note that since the claim does not refer to an information transfer in particular, the claim requires only that the terminal

exchanges *any* information which is used to facilitate communication with a security access point.

59. Bajikar shows information transfer with a Bluetooth device (Bluetooth transceiver 360) which facilitates communication with a security access point (one of BTAPs 120A-120N: see [0036]). It would have been obvious to modify the invention of Yamagochi with the information transfer of Bajikar in order to provide access control, tracking and security services (see [007]).

60. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagochi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view of Wagner (US Pat. No. 5,742,845) and Chang (US Pat. No. 6,583,807).

61. Yamagochi in view of Wesinger and Wagner shows the limitations of claim 13 as applied above, but does not show wherein information exchanged with a WLAN device facilitates video conferencing. Note that since the claim does not refer to an information transfer in particular, the claim requires only that the terminal exchanges *any* information which is used to facilitate video conferencing.

62. Chang shows information transfer with a WLAN device (wireless network machine 100: see Fig. 2) facilitates video conferencing (see col. 2, lines 23-33). It would have been obvious to modify the invention of Yamagochi with the information transfer of Chang in order to provide a low-cost video conference device which is not fixed to a single location (see col. 1, lines 37-43).



63. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view of Baker (US PG PUB 5,961,645).

64. The combination of Yamaguchi and Wesinger shows the limitations of claim 18 as applied above, and Yamaguchi further shows the address comprising a URL (see col. 7, lines 53-57), but does not show the address including an Internet Protocol address.

65. Baker shows a URL containing an Internet Protocol address (see col. 1, lines 49-53).

66. It would have been obvious to one of ordinary skill in the art to include an Internet Protocol address in the URL of Yamaguchi in order to provide the ability to access the server even when a hostname has not been assigned to the mobile server.

67. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view of McConnell et al. (US PG PUB 2002/0015403, hereinafter "McConnell").

68. Yamaguchi shows the limitations of claim 18 as applied above, but does not show wherein the address includes a Mobile Station Integrated Services Digital Network Number (MSISDN). McConnell shows an address including an MSISDN (see [0157]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Yamaguchi with the MSISDN of McConnell in order to identify the requestor to the mobile server (see McConnell [0157]).

69. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi (US Pat. No. 6,980,826) in view of Wesinger (US Patent 5,778,367), and further in view of Lee (US PGPUB 2002/0049852).

70. The combination of Yamaguchi and Wesinger discloses the limitations of claim 17 as applied above, and Yamaguchi further shows video conferencing (an application which frequently uses streaming: see col. 10, lines 45-49), but does not show wherein transferring the information includes using a streaming protocol.

71. Lee shows transferring information using a streaming protocol. It would have been obvious to transfer the information of Yamaguchi with a streaming protocol in order to provide faster access to large media files or access to media which is generated in real time.

### ***Conclusion***

72. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher D. Biagini whose telephone number is (571) 272-9743. The examiner can normally be reached on M-R 7:30-5, 7:30-4 alternate Fridays.

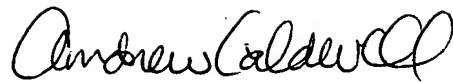
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Christopher D. Biagini  
(571) 272-9743

August 13, 2007

A handwritten signature in black ink, appearing to read "Andrew Caldwell". The signature is fluid and cursive, with the first and last names being more prominent.

ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER